IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 145 OF 2006
IN
INSOLVENCY PETITION NO. 34 OF 2005

Lav V. Chadha & Others. ...Petitioners/Judgment Debtors.

V/s.

Sicom Limited ...Respondent/Judgment Creditor.

Mr. Kishore Jain i/b. Mr. P.V. Shah for the Petitioning Creditors.

Ms. Sudh i/b. Zohair & Co. for the Debtor.
Mr. Y.C. Parikh, Official Assignee present.

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CORAM : DR. D.Y. CHANDRACHUD,J.

17TH OCTOBER, 2006.

P.C. :

1. This Notice of Motion has been taken out for recalling the order of adjudication dated 19th August 2006 passed by this Court. The affidavit in support of the motion is taken out by the Advocate. This is improper and wholly irregular. If at all it is for the party who seeks a recall of the order to file his personal affidavit in support of the Notice of Motion and it is wholly improper for a practising Advocate to file a personal affidavit.

2. In these circumstances, the Notice of Motion is dismissed leaving it open to the concerned parties to take out appropriate proceedings.

3. The Applicant shall pay costs of the motion quantified at Rs.500/-.